Case 13-45938 Doc 11 Filed 02/19/14 Entered 02/19/14 10:41:04

Document FORM 3015-1 CHAF UNITED STATES BANKRUPTCY COURT DISTRICT OF MINNESOTA

IN RE:

MODIFIED CHAPTER 13 PLAN

DATE 2/17/2014

JOHN AND SHARI NORDSTROM

CASE NO. 13-45938

1. DEBTOR'S PAYMENTS TO TRUSTEE

a. As of the date of the plan, debtor has paid the trustee

\$0.00

b. After the date of this plan, debtor will pay the trustee

\$400.00 per month for

60 months beginning within 30 days

days after the order for relief for a total of

c. The debtor will also pay the trustee:

\$24,000.00 The minimum plan lengt

60 months from the date of the initial plan payment

unless all allowed claims are paid in a shorter time.

\$0.00

d. The Debtor will pay the trustee a total of:

\$24,000.00

{line 1a + line 1b +line 1c}

2. PAYMENTS BY TRUSTEE The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may

collect a fee of up to 10% of plan payments or, \$2,400.00 {line 1d x .10}

3. ADEQUATE PROTECTION PAYMENTS 1326 (a) (1) C) The trustee will promptly pay from available funds adequate protection payments to

creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

Creditor

Monthly

Number of

TOTAL

Month **PAYMENTS** 

\$0.00

Payment

b. d. TOTAL

a.

а b. \$0.00

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES §365 - The debtor assumes the following executory contracts or unexpired leases.

Cure provisions, if any, are set forth in #7

Creditor

Description of Property

5. CLAIMS NOT IN DEFAULT Payments on the following claims are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the to the creditors. The creditors will retain their liens. The creditor can continue to invoice the debtor.

Creditor

Description of Property

a. b

6. HOME MORTGAGES IN DEFAULT (sec. 1322(b)(5) and 1322 (e)). The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default. Beginning

		Amount of	Monthly	in Month#	Number	TOTAL
	Creditor	Default	Payment		of payment	PAYMENTS
a PNC		\$3,508.80	\$160.00	1	12	see next line
b.			\$360.00	13	5	\$3,663.60
C.						
d. TOTAL		\$3,508.80	\$520.00			\$3,663.60

#### Case 13-45938 Doc 11 Filed 02/19/14 Entered 02/19/14 10:41:04 Desc Main Document Page 2 of 7

7. SECURED CLAIMS IN DEFAULT (§ 1322(b)(3) and (5) and §1322(e)) The trustee will cure defaults on the following claims

as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate.

Creditor Amount of Int. Rate Payment Beginning is Number **TOTAL** Default (if applicable) Month # of payments PAYMENTS \$0.00 \$0.00

8. OTHER SECURED CLAIMS SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)] The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge.

NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. §1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM.

				Intrest				Payments	s on (Adequate)	
	Creditor	Amount of Claim	Secured Claim	Rate	Beginning i Month #	ii Monthly x Payments	Number of =	Account o	of Protection from #3	TOTAL PAYMENTS
							Payments			
a.IRS		\$2,917.00	\$2,917.00	3%	19	\$360.00		9 \$3,079	9.56 \$0.0	0 \$3,079.56
b.										
c. Total		\$2,917.00	\$2,917.00							\$3,079.56

9. PRIORITY CLAIMS the trustee will pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates.

The trustee will pay the amounts actually allowed.

Creditor	Amount of	Monthly	Month #	Number	TOTAL
	Claim	Payment		of payment:	PAYMENTS
a.Attorney's fees	\$2,250.00	\$200.00	1	12	\$2,250.00
b.MN Dept Rev	\$2,839.00	\$360.00	29	8	\$2,839.00
C.					
f TOTAL	<b>¢</b> E 000 00				¢E 000 00

f. TOTAL \$5.089.00 \$5.089.00

10. SEPARATE CLASS OF UNSECURED CREDITORS In addition to the class of unsecured creditors specified in #11, there shall be separate classes of non-priority unsecurity creditors described as follows:

The trustee will pay the allowed claims of the following creditors. All entries below are estimates.

Creditor Interest Rate Claim Payment Number of TOTAL Payments PAYMENTS (if any) Amount

h.

a.

a. b.

c. other

c. TOTAL \$0.00 \$0.00

11. TIMELY FILED UNSECURED CREDITORS The trustee will pay the holders of non-priority unsecured claims for which proofs of claim were timely filed, the balance of all payments received by the trustee and not paid under #2, 3,6, 7, 8, 9 and 10 \$9,758.84 line 1(d) minus lines 2, 6(d), 7(d) and 8(d), 9 (f) and 10)]. their pro rata share of approximately

a. The debtor estimates that the total unsecured claims by creditors listed in paragraph 8 are

\$0.00 \$163,368.00

b. The debtor estimates that the total unsecured claims (excluding those in #8 & #10) are c. Total estimated unsecured claims are

line 11(a) + line 11 (b). \$

### Case 13-45938 Doc 11 Filed 02/19/14 Entered 02/19/14 10:41:04 Desc Main Document Page 3 of 7

### 12. TARDILY FILED UNSECURED CREDITORS All money paid by the debtor to the trustee under #1 but not distributed

but not distributed by the trustee under #2,3,6,7,8, 9, 10 or 11 will be paid to the holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

**13. OTHER PROVISIONS** The trustee may distribute additional sums not expressly provided for herein at the trustee's discretion.

Income withholding for on-going child support will continue.

SALLIE MAE WILL BE PAID DIRECTLY FOR THE STUDENT LOAN.

The debtors shall send the Trustee each year during the Chapter 13 Plan copies of their federal and state income tax returns at the time they are filed. The debtors shall also promptly report to the Trustee the receipt of any state and federal tax refunds for the duration of this Chapter 13 case and shall be entitled to retain the first \$2,000 plus any earned income credit (EIC). Any remaining amounts shall be turned over to the Chapter 13 trustee as additional plan payments.

Pursuant to 11 U.S.C. Section 1305, a proof of claim may be filed by any entity that holds a claim against the debtor(s) for taxes that become payable to a governmental unit while the case is pending. The trustee shall only pay 11 U.S.C. Section 1305 claims attributable to the taxable year in which the case concerning such debtor(s) was filed, and only to the extent funds are available.

#### 14. SUMMARY OF PAYMENTS-

Trustee's fee [line 2]	\$2,400.00
Home Mortgage Defaults [line 6(d)]	\$3,663.60
Claims in defaults [line 7(d)]	\$0.00
Other Secured Claims [line 8(d)]	\$3,079.56
Priority claims [line 9f]	\$5,089.00
Separate Class [line 10(C)]	\$0.00
Unsecured Creditors [line 11]	\$9,758.84
TOTAL [must equal line 1(d)]	\$24,000.00

ROBERT L KALENDA 919 WEST ST GERMAIN ST STE 2000 ST CLOUD MN 56301 (320)255-8840

SIGNED: /e/ John Nordstrom

DEBTOR

SIGNED: <u>/e/ Shari Nordstrom</u> JOINT DEBTOR Case 13-45938 Doc 11 Filed 02/19/14 Entered 02/19/14 10:41:04 Desc Main Document Page 4 of 7

## UNITED STATES BANKRUPTCY COURT DISTRICT OF MINNESOTA

In Re:

John and Shari Nordstrom,

Bky.No 13-45938

Debtors.

Chapter 13 Bankruptcy

### NOTICE OF MODIFICATION OF CHAPTER 13 PLAN BEFORE CONFIRMATION

TO: ALL INTERESTED PARTIES

Pursuant to Local Rule 3015-2, the debtors, by their attorney, Robert L. Kalenda, give notice
that the court will hold a confirmation hearing on the modified Chapter 13 plan at 10:00 a.m.
on March 20, 2014, in Courtroom 8 West, 300 South 4th Street, US Courthouse,
Minneapolis, Minnesota.

Dated: 2-18-14

KALENDA LAW OFFICE

By: <u>/e/ Robert L. Kalenda</u>

Robert L. Kalenda Attorney for debtors

919 West St. Germain, Suite 2000

St. Cloud, MN 56301

(320) 255-8840

MN Registration #53260

Case 13-45938 Doc 11 Filed 02/19/14 Entered 02/19/14 10:41:04 Desc Mair Document Page 5 of 7

### UNSWORN CERTIFICATE OF SERVICE

I, Dana E. Thomsen, declare under penalty of perjury that on February 18, 2014, I mailed copies of the foregoing Amended Chapter 13 Plan and Notice of Modification of Chapter 13 Plan Before Confirmation In Re: John & Shari Nordstrom Bky. No. 13-45938 by first class mail postage prepaid to each entity named below at the address stated below for each entity:

Interested Parties on attached service list

Executed on:  $\frac{\partial //8//4}{}$ 

Signed:

Dana E. Thomsen

KALENDA LAW OFFICE

919 West St. Germain, Suite 2000

St. Cloud, MN 56301

Case 13-45938 Doc 11 Filed 02/19/14 Entered 02/19/14 10:41:04 Desc Main Document Page 6 of 7
JOHN O NORDSTROM CENTRAL MN EMERG PHYS
PRING MN 56320 COLD SPRING MN 56320 ST CLOUD MN 56303 SHARI A NORDSTROM 21832 FLAGSTONE CT COLD SPRING MN 56320 CITICARDS CBNA COMENITY BANK/EXPRESS COMENITY BANK/VICTORIA PO BOX 6241 PO BOX 182789 SECRET SIOUX FALLS SD 57117 COLUMBUS OH 43218 PO BOX 182789 COLUMBUS OH 43218 DEPT OF ED/SALLIE MAE
PO BOX 9500
WILKES BARRE PA 18773
DISCOVER
PO BOX 15316
WILMINGTON DE 19850 ELAN FINANCIAL SVCS CB DISPUTES SAINT LOUIS MO 63166 FIRSTMARK GECRB/AMERICAN EAGLE GECRB/JC PENNEY
PO BOX 25410 PO BOX 965005 PO BOX 965007
WOODBURY MN 55125 ORLANDO FL 32896 ORLANDO FL 32896 ORLANDO FL 32896 GECRB/JC PENNEY IRS KOHLS
PO BOX 365007 PO BOX 7346 PO BOX 3115
ORLANDO FL 32896 PHILADELPHIA PA 19101- MILWAUKEE WI 53201 7346 LAKELAND HEALTH SERVICES 10600 OLD CTY RD 15 STE MIDSOTA PLASTIC MN DEPARTMENT OF RESURGEONS BANKRUPTCY SECTION 3701 12TH ST N STE 100 PO BOX 6447 ST CLOUD MN 56303 ST PAUL MN 55164-04 MN DEPARTMENT OF REVENUE BANKRUPTCY SECTION 140 PLYMOUTH MN 55441 ST PAUL MN 55164-0447 6801 COLWELL BLVD CS CARE PO BOX 1820
DEPT ONEMAIN FINANCIAL PNC SALLIE MAE PO BOX 9655 DAYTON OH 45401-1820 WILKES BARRE PA 18773 IRVING TX 75039 SEARS PO BOX 6282 SIOUX FALLS SD 57117 ST CLOUD EARS NOSE & ST CLOUD HOSPITAL THROAT 1528 NORTHWAY DRIVE 1406 SIXTH AVE N ST CLOUD MN 56303 ST CLOUD MN 56303 TRANSWORLD SYSTEMS INC
507 PURDENTIAL RD

US BANK CB DISPUTES PO BOX 108

SAINT LOUIS MO 63166

US BANK PO BOX 5227

CINCINNATI OH 45201

# UNITED STATES BANKRUPTCY COURT DISTRICT OF MINNESOTA

In re: JOHN O NORDSTROM and SHARI A NORDSTROM	
and the second s	SIGNATURE DECLARATION
Debtor(s).	Case No. <u>13-45938</u>
PETITION, SCHEDULES & STATEMENTS CHAPTER 13 PLAN SCHEDULES AND STATEMENTS ACCOMPA AMENDMENT TO PETITION, SCHEDULES & MODIFIED CHAPTER 13 PLAN OTHER (Please describe:	
I [We], the undersigned debtor(s) or authorized following declarations under penalty of perjury:	representative of the debtor, make the
petition, statements, schedules, amendments above, is true and correct;  The information provided in the "Debto the electronic commencement of the above [individual debtors only] If no Social Information Pages" submitted as a part above-referenced case, it is because I do I consent to my attorney electronically in Court my petition, statements and schedules.	Security Number is included in the "Debtor of the electronic commencement of the o not have a Social Security Number; filing with the United States Bankruptcy dules, amendments, and/or chapter 13 plan, ned image of this Signature Declaration Pages," if applicable; and
Date: 2-18-14  X 220.// X	Shara Novelston
Signature of Debtor or Authorized Representative	Signature of Joint Debtor
JOHN O NORDSTROM	SHARI A NORDSTROM
District 137 CD-14 A .di .1D	Daine d Manne and Taline Dales

Form ERS 1 (Rev. 10/03)